



Affordability Is Access Act (#FreeThePill)

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BACKGROUND

Research is clear – access to safe and affordable contraception is fundamental to a person's ability to determine when to start a family, manage health conditions and exercise bodily autonomy.

Although the pill is one of the safest and most effective forms of birth control, ***nearly one in three individuals continue to face barriers when trying to access contraception.***

Prescription requirements for daily oral contraceptives pose significant barriers particularly for women without access to transportation, affordable childcare, health insurance coverage or a regular doctor. Research has shown that making the pill over-the-counter (OTC) and available for zero out-of-pocket costs would help women have more control over their sexual and reproductive health, including when and if to start a family and greatly reduce the number of unplanned pregnancies.

AFFORDABILITY IS ACCESS ACT

The Affordability Is Access Act would ensure that people have access to daily over-the-counter birth control without a prescription or out-of-pocket costs. Specifically, the bill would:

- **Require coverage of over-the-counter contraception, including a daily over-the-counter pill if one were to come on the market.** All private health insurance plans are now required to cover all U.S. Food and Drug Administration (FDA)-approved methods of contraception. However, existing guidance allows insurers to impose a prescription requirement to get coverage of any over-the-counter contraception method. This bill would require coverage of all OTC birth control without requiring a prescription.
- **Maintain the FDA's sole authority to determine the safety and efficacy of drugs and make them available over-the-counter without a prescription.** As with other types of medicine, the entities that develop oral contraceptives and whose medical and scientific experts have developed clinical evidence that birth control pills are safe and effective for women OTC, must apply to the FDA for review and approval for sale OTC.
 - Upon the receipt of such an application, the FDA must determine whether the contraceptive product meets the rigorous safety and efficacy standards for over-the-counter use, as established by the agency Federal Food, Drug, and Cosmetic Act. If the product meets these standards, the FDA should approve the application without delay.
- **Ensure retailers provide oral contraception without a prescription.** The Act states that any retailer that stocks oral contraception that the FDA has approved or regulated for routine, daily use without a prescription may not interfere with a consumer's access to or purchase of such contraception.